

REMARKS

Claims 1, 17, 18, 34 and 50 have been amended for clarification purposes only. Support for the claim amendments can be found at FIG. 1 Steps S3-S7, FIG. 16, page 9, lines 13-24 and page 24, line 11 – page 25, line 23 of the specification. Claims 1-50 are currently pending and under consideration. Reconsideration is respectfully requested.

It is noted that in the rejections of the Office Action, the Examiner does not address the amendments to the claims as made in the Response filed April 14, 2005.

I. REJECTION OF CLAIMS 1-4, 7-9 AND 11-50 UNDER 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER HUXTER (U.S. PATENT APPLICATION NO. US 2002/0072945)(previously cited) IN VIEW OF YANG (U.S. PATENT APPLICATION NO. 2002/0072945)(previously cited):

Claim 1 has been amended to recite “receiving and registering schedule information from a customer member, corresponding to availability status information of the customer member for receiving a package addressed to the customer member, the schedule information comprising availability status information of the customer member for each of a plurality of days within a predetermined period; receiving a shipment request from a sender of a package; determining a delivery form relating to said shipment request with reference to the registered schedule information of the customer member; and generating delivery request information for a distributor in accordance with the determined delivery form, when the determined delivery form involves a movement of the package, and wherein said receiving and registering schedule information is carried out asynchronously with said determining and is carried out without relationship with a specific shipment request”.

Neither Huxter nor Yang, individually or combined, disclose “receiving a shipment request from a sender of a package; determining a delivery form relating to said shipment request with reference to the registered schedule information of the customer member; and generating delivery request information for a distributor in accordance with the determined delivery form, when the determined delivery form involves a movement of the package, and wherein said receiving and registering schedule information is carried out asynchronously with said determining and is carried out without relationship with a specific shipment request,” as recited in amended claim 1.

Instead, paragraph [0106] of Huxter discloses customers arranging for goods to be

delivered to an ACP (automated collection point) site. A customer interface display displays information described in a “register 100” and “schedule delivery 200” through which customers can change details specified in the “register 100” as well as displaying information about previous deliveries. The Register 100 allows a customer to provide details to register for the service. The details include an email address and phone numbers (see paragraphs [0178] – [0181]. Further, in Huxter, after the customer has registered for the service then he is able to order goods online and specify an ACP site. **To use the service, the customer must first order goods from an E-tailer (emphasis added) (see paragraph [0183]).**

Further, in Huxter, once the customer specifies an ACP site, the purchase transaction is completed and the goods are dispatched to the specified ACP site. The customer is notified when the goods have been received at the ACP site and are ready to be picked up (see paragraphs [0185] – [0189].

At page 5 of the Office Action, the Examiner asserts that Yang discloses “schedule information comprising at least one of the forms of receiving the package addressed to the member for each of a plurality of days within a predetermined period” at paragraphs [0060] – [0062]).

However, the Applicants respectfully submit that Yang does not disclose “the schedule information comprising the availability status information of the customer member for each of a plurality of days within a predetermined period,” as recited in amended claim 1, for example.

Instead, paragraphs [0060] – [0062] of Yang disclose a buyer setting up pickup points and entering a pickup time as a default. The server may set a station time as the time a MPS stays at the pick up point, for example, between 4pm and 7pm, and the buyer comes between those times to pickup the buyer’s products. The set pick up time gives the MPS server a planning tool as how long a MPS will stay at a pickup point before the MPS is sent to a next assignment. It can also be a guide for sending reminders to the buyer for pickups such as a telephone call or email messages. That is, in Yang the buyer, after reviewing product items, decides to order a product and goes to an order mode (see paragraph [0063]). Then, the buyer marks on the calendar to indicate the days on the calendar the buyer wants to order products to be delivered (see paragraph [0065]).

Accordingly, in both Huxter and Yang, a user registers schedule information when he or she makes a shipment request for a package. That is, in Huxter and Yang, registering schedule information is carried out synchronously with determining a delivery form and is carried out in relationship with a specific shipment request of the purchase order.

In the present invention, "said receiving and registering schedule information is carried out asynchronously with said determining and is carried out without relationship with a specific shipment request," as recited in amended claim 1, for example. Therefore, the teachings of Huxter and Yang are fundamentally different from that of the present invention.

Accordingly, the combination of Yang and Huxter fails to establish a prima facie case of obviousness over the present invention.

Independent claims 17, 18, 34 and 50 have been amended to include similar features as those in amended claim 1. Therefore, although the above comments are specifically directed to claim 1, it is respectfully submitted that the comments would be helpful in understanding differences of various other rejected claims over the cited references.

Therefore, it is respectfully submitted that the rejection is overcome.

II. REJECTION OF CLAIMS 5, 6 AND 10 UNDER 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER HUXTER IN VIEW OF YANG AND FURTHER IN VIEW OF PARTOVI (U.S. PATENT APPLICATION NO. 2002/0126813):

Dependent claims 5, 6 and 10 indirectly or directly depend from claim 1. Therefore, the comments above in Section I may be applied here also.

III. CONCLUSION:

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore, defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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